



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 166934 §
issued to CHRISTOPHER MACIAS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CHRISTOPHER MACIAS, Vocational Nurse License Number 166934, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on August 30, 2010, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from McLennan Community College, Waco, Texas, on December 19, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on March 6, 1998
5. Respondent's vocational nursing employment history is unknown.

6. On or about June 25, 1982, Respondent entered a plea of Guilty and was convicted of THEFT OF \$20 OR MORE BUT LESS THAN \$200 (a Misdemeanor offense committed on December 19, 1981), in the County Court at Law of McLennan County, Texas, under Cause Number 64771. As a result of the conviction, Respondent was sentenced to confinement in the McLennan County Jail for a period of thirty (30) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of one (1) year. Additionally, Respondent was ordered to pay a fine and court costs.
7. In response to Finding of Fact Number Six (6), Respondent states: This event was a stupid prank performed by three boys, not yet men. Two friends and he were playing pool. As the pool hall was closing, the owner was preparing to lock up as he sat a bag on the counter which contained a shaving kit, medication, and his dentures. Respondent's friend grabbed the bag on his way out. Respondent took the blame for his friend since he already had been in trouble. He did not realize that taking a bag of toiletries would create so many problems for him and his family. He was seventeen at the time of the occurrence of this offense. He completed a probationary period and the offense has not been repeated.
8. On or about April 2, 1993, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a Misdemeanor offense committed on November 8, 1992), in the County Court at Law of McLennan County, Texas, under Cause Number 930053CR1. As a result of the conviction, Respondent was placed on probation and was ordered to pay a fine and court costs.
9. In response to Finding of Fact Number Eight (8), Respondent states: He was out with his brother-in-law and his wife playing a few games of pool. They had a couple of beers. After about two hours, they decided to call it a night. On the way home, his sister-in-law dropped a cigarette on the front seat of the vehicle. They were trying to find it while he was driving and a police officer saw the car swerving and pulled them over. Respondent states he explained to the officer what happened and he was asked by the officer to submit to a test. The result of his test was that he blew the legal limit and was arrested for DWI.
10. On or about November 19, 1998, Respondent entered a plea of Guilty to ASSAULT (a Class A Misdemeanor offense committed on August 13, 1998), in the County Court at Law of McLennan County, Texas, under Cause Number 98-3310CR2. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of twelve (12) months. Additionally, Respondent was ordered to pay a fine and court costs.
11. In response to Finding of Fact Number Ten (10), Respondent states: After coming home after working a double shift, he walked in the front door of his girlfriend's house and someone ran out the back door. He pursued the person but he got away. Upon returning to the house his girlfriend was yelling at him. She got in his face yelling and called the police and said that Respondent struck her. Respondent was arrested for assault. When it came to

trial his girlfriend wrote a letter to the judge requesting leniency and did everything to get the charges dropped except admitting that she had filed a false police report. As a result, he received deferred adjudication.

12. On or about July 5, 2005, Respondent entered a plea of Guilty to DEADLY CONDUCT (a Class A Misdemeanor offense committed on March 4, 2005), in the County Court at Law of McLennan County, Texas, under Cause Number 2005-1516-CR2. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of eighteen (18) months. Additionally, Respondent was ordered to pay a fine and court costs.
13. On or about August 1, 2005, Respondent submitted a Texas Online Renewal Document to the Board of Nurse Examiners for the State of Texas in which he provided false, deceptive, and/or misleading information, in that he answered "No" to the question: "Have you been convicted, adjudicated guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests (excluding minor traffic violations) since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUI's, DWI's, and PI's must be reported and are not considered minor traffic violations. (One time minor in possession [MIP] or minor in consumption [MIC] does not need to be disclosed; therefore, you may answer "No." If you have two or more MIP's or MIC's, you must answer "Yes".)"

Respondent failed to disclose that On or about July 5, 2005, Respondent entered a plea of Guilty to DEADLY CONDUCT (a Class A Misdemeanor offense committed on March 4, 2005), in the County Court at Law of McLennan County, Texas, under Cause Number 2005-1516-CR2. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for eighteen (18) months.

14. In response to Finding of Fact Number Thirteen (13), Respondent states: He had been out with friends after work. He left his cell phone in his car and his stepson had left his keys at home and was unable to get in the house. When he did finally arrive home his wife was screaming profanities at him. He stated the angrier she became; the more humorous the whole situation seemed. She then got out the recorder and started recording him because he was laughing. All the time she continued yelling and screaming. So while he was at the dining room table preparing her a drink to calm her down, he cut a lime for her drink with a meat knife as she recorded his every move. The disc in the recorder ran out so she removed it and sat it on the table to replace it with a new one. As he stood looking at the disc on the table, he reached over with the knife and chopped the disc in half. She called the police. He states his wife is originally from Columbia and apparently in Colombia when you have a domestic dispute you call the police and they come to calm things down and leave. She failed to realize that is not the way things work in the USA. As he was walking his daughters

to their mother's car, the police pulled up and handcuffed him. As a result, he went to jail and was charged with deadly conduct. Only after he plead guilty did the District Attorney say why he was being charged. He states it has been four years since he has been in any type of trouble and he is not a bad man or a criminal

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555 , the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Section 301.452(b)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 166934, heretofore issued to CHRISTOPHER MACIAS, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION AND A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

(2) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty

dollars (\$250). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

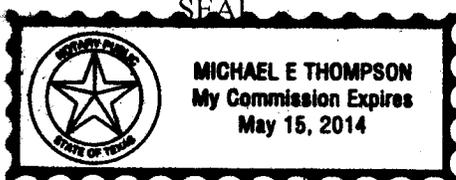
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 3 day of June, 2011.

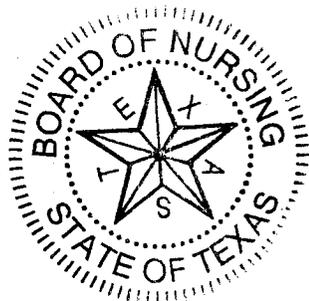
Christopher Macias
CHRISTOPHER MACIAS, Respondent

Sworn to and subscribed before me this 3 day of June, 2011.

Michael E Thompson
Notary Public in and for the State of TEXAS



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 3rd day of June, 2011, by CHRISTOPHER MACIAS, Vocational Nurse License Number 166934, and said Order is final.



Effective this 7th day of June, 2011.

Katherine A. Thomas

Katherine A. Thomas, MN, RN
Executive Director on behalf
of said Board